

REVISED TO INCLUDE ADDENDUM ITEMS 29d AND 53.

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
June 18, 2002, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation
 - Pledge of Allegiance
 - Approve the minutes of the previous meeting
-

AWARDS AND PRESENTATIONS

- Wichita's Promise - Youth Service Awards
 - Proclamations
 - Distinguished Service Citation.
-

PUBLIC AGENDA

- 1. Greater Wichita Sports Commission.
 - 2. Sharon Ailslieger, League of Women Voters-Wichita/Metro – Dynaplex Project Public Hearing Request.
-

UNFINISHED BUSINESS

- 3. [Repair](#) or Removal of Dangerous and Unsafe Structure – 1819 West 53rd Street North. (District VI)
(Continued from May 7, 2002)

RECOMMENDED ACTION: Close the public hearing; adopt Resolution
and proceed with demolition.

NEW BUSINESS

- 4A. [Petition](#) to Pave Chautauqua, from 26th Street North to 27th Street North. (District I)

Signatures on the Petition represent 2 of 3 (66.67 percent) resident owners and 56.88 percent of the improvement district area.

RECOMMENDED ACTION: Approve the Petition, adopt the Resolution;
authorize selection of design engineer.

4. [Mutual Aid Agreement: City of Eastborough.](#)

The City of Eastborough has requested an opportunity to develop a Mutual Aid Agreement with the City of Wichita.

RECOMMENDED ACTION: Authorize Mutual Aid Agreement negotiation.

(9:30 a.m. or thereafter)

5. [Repair or Removal of Dangerous and Unsafe Structures.](#)

The City Council adopted Resolutions providing for a public hearing on the following properties:

	<u>Property Address</u>	<u>Council District</u>
1)	1339 South Santa Fe	I
2)	1665 North Minnesota	I
3)	327 South Sheridan	IV
4)	1616 South Emporia (Garage)	III
5)	837 North Ohio	I
6)	1620 North Green	I
7)	1641 North Estelle	I

RECOMMENDED ACTION: Close the public hearing; accept the
BCSA recommended action; and adopt
the Resolutions.

6. [Homeland Defense Readiness Center.](#) (District I)

The Kansas National Guard is proposing to build a new Homeland Defense Readiness Center in Wichita.

RECOMMENDED ACTION: Approve the Project; adopt the Resolution;
authorize selection of design consultant.

7. [Reduction of East Bank Redevelopment District Boundaries.](#)

The proposed Ordinance removes devalued areas to restore the tax increment value added by redevelopment.

RECOMMENDED ACTION: Approve the reduction and first reading
of the Ordinance.

8. [Plant Equity Fee Recalculation Ordinance.](#)

The proposed Ordinance revises the Plant Equity Fee structure and reflects additions to plant equity and capacity.

RECOMMENDED ACTION: Approve Plant Equity Fee changes and first
reading of the Ordinance.

9. Consideration of Wichita Tree Trimming Ordinance.

The Tree Trimming Ordinance governs the pruning of trees and shrubs along streets and in parks.

RECOMMENDED ACTION: Take appropriate action.

10. Naming of Park at Third Street and Chautauqua. (District I)

A Mayor's Advisory Committee recommends the Park be named "Chautauqua Park."

RECOMMENDED ACTION: Select the name "Chautauqua Park."

CITY COUNCIL AGENDA

11. Appointment of Commission of Electors to Develop New City Council District Boundaries.

RECOMMENDED ACTION: Make the appointments.

12. Approval of Travel Expenses for Council Member Pisciotte to Attend NLC Board of Directors Meeting in Minnetonka, MN, July 17-21, 2002.

ACTION: Approve the expenditures.

13. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

14. Report of the Board of Bids and Contracts Dated June 17, 2002.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

15. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2002</u>	<u>(Consumption off Premises)</u>
Mary Mena	El Salvador Restaurant*	209 South West Street
		<u>(Consumption off Premises)</u>
Benjamin J. Schultz	T & E Oil Co. Inc. #19 Dba Pantry Plus #19	10304 West 13 th Street

(Item 15 continued)

Benjamin J. Schultz	T & E Oil Co. Inc. #20 Dba Pantry Plus #19	237 South Maize Road
Saeed Mansouri	AM Conoco	12728 East Central
<u>New Establishment</u>	<u>2002</u>	<u>(Consumption off Premises)</u>
Robert J. Byrnes	FU #4005	7115 West 13 th Street

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

16. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

17. Preliminary Estimates:

- a) Tallowood from the east line of Lot 64, Block 6, Rocky Creek, to the east line of Lot 55, Block 6. On Castlewood/Glen Wood from the east line of Lot 7, Block 2, Rocky Creek Second, to the south line of Tallowood. On Tallowood Court, serving Lots 64 through 74, Block 6, Rocky Creek, from the north line of Lot 74, Block 6, to and including the cul-de-sac. A Sidewalk shall be constructed on the south side of Tallowood from the east line of Lot 64, Block 6, Rocky Creek Addition to the east line of Lot 55, Block 6 to serve Rocky Creek and Rocky Creek Second Addition - north of 13th, east of 127th Street East. (472-83433/765731/490842) Does not affect existing traffic. (District II) - \$378,600.00
- b) 127th Street East from one-half mile south of Harry to Harry to serve Equestrian Estates - south of Harry, east of 127th Street East. (472-83425/765708/490819) Traffic to be carried thru construction. (District II) - \$365,000.00
- c) Water distribution system to serve Deer Lake Estates Second Addition - south of 47th Street, west of Oliver. (448-89656/735055/470725) Traffic to be carried thru construction. (District III) - \$36,300.00
- d) McAdams Park Tennis Court Reconstruction 2002 Park CIP to serve McAdams Park - east of Wabash, south of 17th Street. (472-83543/785029/392161) n/a. (District I) - \$80,000.00
- e) Boston Park Tennis Court reconstruction 2002 Park CIP to serve Boston Park - east of Woodlawn, north of Boston. (472-83544/785029/392161) n/a. (District II) - \$80,000.00
- f) Repaving Amidon from Murdock to 11th Street in connection with 66 inch Raw Waterline from Water Treatment Plant to 21st and Zoo - Amidon, Murdock to 11th Street North. (448-89439/633720/132712/750807) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$339,199.20
- g) Lateral 3, Main 19, Southwest Interceptor Sewer to serve Ridge Port North Fourth Addition - south of 37th Street North, east of Ridge. (468-83276/743924/480612) Does not affect existing traffic. (District V) - \$405,000.00

(Item 17 continued)

- h) Grading, surfacing, concrete pavement, bridges, signing, lighting, signalization, pavement markings, landscaping and irrigation, for Kellogg Avenue (US-54) /Tyler and Maize Interchanges. (472-83533 /702315 /400272) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$56,679,400.94
- i) Constructing a Water Distribution System to serve part of Fruitvale Park Addition - south of Central, east of I-235. (735004/448-89544/470-674) (District IV) Total estimated cost - \$4,520.00
- j) Main 3, Cowskin Interceptor Sewer Part II - Maize Road, north of K-42 Highway. (743894/468-83330/480-582) (District V) Total estimated cost - \$125,000.00
- k) Lateral 27, Cowskin Interceptor Sewer - south of Maple, west of 135th Street West. (743889/468-83328/480-577) (District V) Total estimated cost - \$8,100.00
- l) (Amended) - cost of Lateral 49, Main 2, Sanitary Sewer 22 to serve W.H.H. Addition - south of 27th Street South, west of Seneca. (743875/468-83266/480-563) (District IV) Total estimated cost - \$24,000.00
- m) (Amended) - cost of Lateral 473, Southwest Interceptor Sewer to serve Westlink Christian Church Addition - south of 21st, west of Maize. (743878/468-83302/ 480-566) (District V) - Total estimated cost - \$25,530.00
- n) (Amended) - cost of Lateral 140, Main 4, Sanitary Sewer #23 to serve Timmermeyer Gardens Addition - east of Hood, north of 31st Street North. (743874/468-83267/480-562) (District VI) Total estimated cost - \$20,340.00
- o) (Amended) - cost of Lateral 467, Southwest Interceptor Sewer to serve Shelly's Orchard Addition - east of Maize, north of Pawnee. (743868/468-83218/468-83251/480-556). (District V) - Total estimated cost - \$200,560.00
- p) (Amended) - cost of Lateral 138, Main 4, Sanitary Sewer #23 to serve Jones Park Addition - north of 33rd Street North, east of Arkansas. (43819/468-83048/480-507) Total estimated cost - \$20,160.00 \$200,560.00
- q) (Amended) - constructing Edgemoor Drive, from the south line of Lot 97, Block 2 to the southeast line of Lot 84, Block 2; and Pembroke Circle, from the east line of Edgemoor Drive, to the northwest line of Lot 85, Block 2, including the turnaround to serve the Courts II - north of 21st Street North, west of Woodlawn. Total Estimated Cost - \$194,670.00 (District I).

RECOMMENDED ACTION: Approve and file.

18. Statements of Cost:

- a) Improving Jabara Airport. Total Cost - \$1,118,260.00 (plus idle fund interest - \$13,561.03; less financing previously issued - \$450,000). Financing to be issued at this time - \$668,260. (792348/435-318)

RECOMMENDED ACTION: Approve and file.

19. Petitions for Public Improvements:

- a) [Sanitary](#) sewer main to serve an area east of Hydraulic, north of 37th Street North. (District I)
- b) [Pave](#) Custer, north of Pawnee. (District IV)
- c) [Construct](#) right-turn lane and major entrance to Messiah Baptist Church Fourth Addition, north of 21st Street, west of 127th Street East. (District II)
- d) [Street](#) paving, and water distribution system to serve part of Mediterranean Plaza Addition – west of Webb, south of 37th Street North. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

20. Minutes of Advisory Boards/Commissions:

Board of Code Standards and Appeals, May 6, 2002
Wichita Employees Retirement System, April 24, 2002
Police & Fire Retirement System, April 24, 2002
Advisory Board District II, March 18, 2002, April 15, 2002
Board Of Electrical Appeals, May 14, 2002
Library Board Of Directors, May 21, 2002

RECOMMENDED ACTION: Receive and file.

21. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

22. Agreements/Contracts:

- a) [Beverage](#) services.
- b) [CDBG](#) – Youth Recreation and Enrichment Program.
- c) [CDBG](#) – Wichita Indochinese Center.
- d) [CDBG](#) – Catholic Charities, Inc. – Harbor House.
- e) [CDBG](#) – YWCA – Women’s Crisis Center.
- f) [Midtown](#) Community Resource Center of Wichita, Inc.
- g) [Remediation](#) of Lynette Woodard Recreation Center.
- h) [Micrographic](#) services.
- i) [Air](#) Quality Program renewal.
- j) [HOME](#) CHDO housing development funding.

(Item 22 continued)

- k) [CHDO](#) operating Grants. (Districts I, III, IV, V, and VI)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

23. Design Services Agreements.

- a) [Ridge](#) Port North Third Addition – east of Ridge Road, north of 29th Street North. (District V)
- b) [Harry](#) from I-235 to George Washington Boulevard. (Districts I & III)
- c) [Supplemental for](#) staking Forest Lakes and Forest Lakes West – north of 29th Street, between Ridge and Tyler. (District V)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

24. Wesley Inn Ground Lease Amendment. (District II)

RECOMMENDED ACTION: Approve Lease amendment; authorize necessary signatures; adopt Resolution.

25. 2002 Arterial Design Program: Rock Road (21st to 29th Streets), and Pawnee (Washington to Hydraulic)
(Districts II and III)

RECOMMENDED ACTION: Approve design projects, Agreements, and first reading of Ordinances; authorize necessary signatures.

26. Change Orders:

- a) [Art](#) Museum modification/expansion project. (District VI)
- b) [Lawrence](#) Dumont Stadium modification. (District IV)
- c) [Sanitary](#) sewer main for Eagles Landing at North Oliver Second Addition – west of Oliver, south of 45th Street North. (District I)
- d) [2002](#) Contract Street Maintenance Program. (District IV)

RECOMMENDED ACTION: Approve Change Orders; authorize necessary signatures.

27. Release of Hardship Deferral Liens.

RECOMMENDED ACTIONS: Approve release; authorize necessary Signatures.

28. [Transfer](#) of Nuisance Abatement Funds.

RECOMMENDED ACTION: Approve budget transfer.

29. Grants:

- a) [2003-2004](#) Victims of Crime Act (VOCA) Grant.
- b) [Kansas](#) Department of Transportation (KDOT) Grant – Transit.
- c) [Homeless](#) assistance.

(Addendum)

- d) [Local](#) Environmental Protection Program (LEPP) Grant Renewal.

RECOMMENDED ACTION: Approve applications; authorize necessary negotiation of funding Agreements and necessary signatures; and approve receipt of funds.

30. [General](#) Obligation Temporary Note Sale (Series 206); and General Obligation Bond Sale (Series 770, 771 and 956).

RECOMMENDED ACTION: Adopt Resolutions authorizing the Bond and Note sale; approve submittal of Preliminary Official Statement and Notice Publications.

31. [Golf](#) Computer System.

RECOMMENDED ACTION: Approve project and Contract; authorize budget transfer and Agreement and necessary signatures.

32. [Extension](#) of Letter of Intent for Industrial Revenue Bonds – FlightSafety International. (District V)

RECOMMENDED ACTION: Approve Letter of Intent extension ending December 18, 2002.

33. [Disclaimer](#) of Interest – Property in Travel Air City (North Webb Road). (District II)

RECOMMENDED ACTION: Approve the Disclaimer; authorize necessary signatures.

34. [Installation](#) of 66” Raw Water Line from 21st Street and Zoo to the Water Treatment Plant and Repairs to the 48-Inch Raw Water Line.

RECOMMENDED ACTION: Approve transfer of funds.

35. [Deaccession](#) of the Painting Titled “The Black Shaw” by Frederick Frieseke.

RECOMMENDED ACTION: Approve deaccession.

36. [Athletic Court Improvements.](#)

RECOMMENDED ACTION: Authorize change in scope, initiation of project and necessary signatures; approve bonding Resolution.

(Addendum)

53. [Settlement of Litigation.](#)

RECOMMENDED ACTION: Authorize payment.

37. [Property Disposition \(Dedication\) of Portion of City-owned Parcel at Bluffview and Menlo.](#)

RECOMMENDED ACTION: Approve Contract; authorize necessary signatures.

38. [Second Reading Ordinances:](#) (First read June 4,2002)

a) Weed mowing.

An Ordinance making a special assessment to pay for the cost of cutting weeds in the City of Wichita, Kansas.

b) Health nuisance (lot clean-up).

An Ordinance making a special assessment to pay for the cost of abating certain public health nuisances (lot clean-up) under the provisions of Section 7.04.050 of the Code of the City of Wichita, Kansas. Be it ordained by the governing body of the City of Wichita, Kansas.

c) Building condemnations.

An Ordinance making a special assessment to pay for the removal of certain structures, being dangerous and unsafe building which have been declared a nuisance under the provision of Section 18.16.010 to 18.16.090 of the Code of the City of Wichita, Kansas.

c) ZON2001-47 - north of 21st Street North, east side of Maize Road. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON2001-47

e) ZON2002-00021 – Addition to Old Town Overlay District on Property Zoned Limited Industrial. (District VI)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON2002-00021

RECOMMENDED ACTION: Adopt Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

- *39. [SUB2000-124](#) - Plat of Best Supply Addition – East of Broadway, on the North Side of 21st Street North.
(District VI)

RECOMMENDED ACTION: Approve document and Plat; authorize necessary signatures; adopt Resolution.

- *40. [SUB2001-22](#) – Plat of Heartland Church Addition – Southwest Corner of Maple and 126th Street West.

RECOMMENDED ACTION: Approve documents and Plat; authorize necessary signatures; adopt Resolutions.

- *41. [SUB2001-130](#) – Plat of College Hill Square Addition – Southeast Corner of Central and Hillside. (District II)

RECOMMENDED ACTION: Approve documents and Plat; authorize necessary signatures; adopt Resolutions; approve first reading of PUD2001-02 Ordinance.

- *42. [SUB2002-08](#) – Plat of Ridge Port Commercial Park Addition – North of 29th Street North, West Side of Ridge Road. (District V)

RECOMMENDED ACTION: Approve documents and Plat; authorize necessary signatures; adopt Resolutions.

- *43. [DED2002-17](#) – Dedication of Street Right-of-Way for Property on the East Side of Burns Avenue, between 18th and 19th Streets North. (District VI)

RECOMMENDED ACTION: Accept the Dedication.

- *44. [ZON2000-00045](#) – Extension of Time to Complete Platting Requirement for Zone Change Request from Single-Family Residential to Limited Commercial – South of Central, West of Tyler. (District V)

RECOMMENDED ACTION: Approve one-year extension of time to May 14, 2003.

- 44A. [Z-3304](#) – Extension of Time to Complete Platting Requirement for Zone Change Request from Single-Family Residential to Neighborhood Office – Northeast Corner of Central and 135th Street West. (District V)

RECOMMENDED ACTION: Approve six-month extension of time to August 9, 2002.

- *45. [ZON2002-00014](#) – Zone Change from Limited Industrial to General Commercial – Northeast of the South Seneca/West Harry. (District IV)

RECOMMENDED ACTION: Approve zone change and first reading of Ordinance.

46. [ZON2002-00023](#) – Zone Change from Single-Family Residential to Limited Commercial – Northeast Corner of University and Ridge. (District V)

MAPC Recommendation: Approve, subject to Staff recommendation, except that drive-through restaurants be permitted with outdoor sound amplification systems, and replatting within two years.

DAB Recommendation: Approve, subject to provisions of Protective Overlay District and replatting within one-year.

Staff Recommendation: Approve, subject to Staff recommendation.

RECOMMENDED ACTION: Concur with MAPC and approve zone change, subject to additional recommended provisions of Protective Overlay District, and subject to condition of platting within two-years; Ordinance to be forwarded when Plat is forwarded to City Council; OR

Return the application to the MAPC for reconsideration.

47. [A02-11](#) Request by the City of Wichita to annex a portion of 21st Street North and a portion of Hoover Road.

RECOMMENDED ACTION: Approve the annexation and first reading of the Ordinance.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

48. [Extension](#) of Letter of Intent for Special Airport Facilities Revenue Bonds – FlightSafety International.

RECOMMENDED ACTION: Approve the Letter-of-Intent extension for six-months ending December 18, 2002.

49. [Northwest](#) Airlines – Minneapolis Service Incentives.

RECOMMENDED ACTION: Approve incentive package; authorize necessary signatures.

50. [Taxiway “M” Supplemental Agreement.](#)

RECOMMENDED ACTION: Approve Supplemental Agreement; adopt Resolution; authorize necessary budget transfers and signatures.

51. [Facility Management System.](#)

RECOMMENDED ACTION: Approve the purchase.

52. [Farming Operations – Mid-Continent Airport.](#)

RECOMMENDED ACTION: Approve change in farming operations and necessary budget adjustments; authorize solicitation of proposals.

Adjournment

Joint Luncheon: City & County – Law College